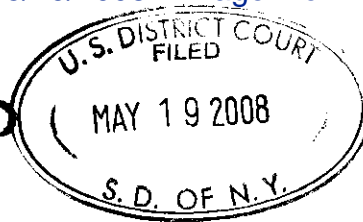


SC. 3D

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SCANNED



FELIX GUERRERO,

Movant,

-against-

UNITED STATES OF
AMERICA,

Respondent.

CIVIL JUDGMENT

08 Civ. 2445 (KMW)

By order dated March 11, 2008, movant was directed to submit an amended motion to vacate pursuant to 28 U.S.C. § 2255 within sixty (60) days of the date of that order. Given that movant has failed to file an amended motion as specified, it is,

ORDERED, ADJUDGED AND DECREED: That the motion to vacate pursuant to 28 U.S.C. § 2255 is dismissed without prejudice. As petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. 28 U.S.C. § 2253(c). The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Court's order would not be taken in good faith.

Kimba M. Wood

KIMBA M. WOOD
Chief Judge

Dated: ~~MAY~~ **MAY 19 2008**

New York, New York

THIS DOCUMENT WAS ENTERED ON THE DOCKET ON _____.